

PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Paperwork Reduction Act of 1995: no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Application Number 10/698,495

Filing Date October 31, 2003

First Named Inventor James A. Mooney

Art Unit

Examiner Name

Total Number of Pages in This Submission

3

Attorney Docket Number 4003

**ENCLOSURES (Check all that apply)**

- ☐ Fee Transmittal Form  
☐ Fee Attached  
☐ Amendment/Reply  
☐ After Final  
☐ Affidavits/declaration(s)  
☐ Extension of Time Request  
☐ Express Abandonment Request  
☒ Information Disclosure Statement  
☐ Certified Copy of Priority Document(s)  
☐ Response to Missing Parts/Incomplete Application  
☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Drawing(s)  
☐ Licensing-related Papers  
☐ Petition  
☐ Petition to Convert to a Provisional Application  
☐ Power of Attorney, Revocation  
Change of Correspondence Address  
☐ Terminal Disclaimer  
☐ Request for Refund  
☐ CD, Number of CD(s) \_\_\_\_\_

- ☐ After Allowance communication to Group  
☐ Appeal Communication to Board of Appeals and Interferences  
☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  
☐ Proprietary Information  
☐ Status Letter  
☐ Other Enclosure(s) (please identify below):

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**Firm  
or  
Individual name

Joseph P. Gastel, Reg. No. 17,796

Signature

*Joseph P. Gastel*

Date

December 17, 2003

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name

Joseph P. Gastel

Signature

*Joseph P. Gastel*

Date

Dec. 17, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. Serial No. - 10/698,495  
Filing Date - October 31, 2003  
Inventor - James A. Mooney et al  
Group Art Unit -  
Examiner name -  
Atty Docket - 4003

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT  
WITHIN THREE MONTHS OF FILING OR BEFORE MAILING  
OF FIRST OFFICE ACTION UNDER 37 CFR 1.97(b)**

MAIL STOP DD  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or before the mailing date of a first Office Action on the merits, whichever occurs last.

This application is a continuation of application Serial No. 09/273,687, filed March 22, 1999, which is a continuation-in-part of application Serial No. 09/272,498, filed March 19, 1999, wherein copies were supplied in or cited by the Examiner. It is applicants' understanding that copies of the U.S. patents need not be supplied.

Respectfully submitted,

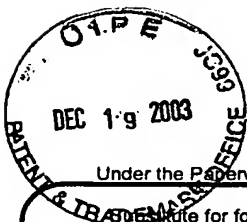
JAMES A. MOONEY ET AL

JOSEPH P. GASTEL

By Joseph P. Gastel  
Attorney for Applicants  
Registration No. 17,796  
(716) 854-6284  
FAX (716) 854-7688

Buffalo, New York 14203  
December 17, 2003

JPG/rk  
698495.PAS



PTO/SB/08A (04-03)

Approved for use through 04/30/2003. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

Application Number	10/698,495
Filing Date	October 31, 2003
First Named Inventor	James A. Mooney et al
Art Unit	
Examiner Name	
Attorney Docket Number	4003

Sheet 1 of 1

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- 780,826	01-24-1905	Sneide	
		US- 1,438,489	12-12-1922	Hawley	
		US- 1,459,845	06-26-1923	Mitchell	
		US- 2,268,853	01-06-1942	Behnke	
		US- 2,985,303	05-23-1961	Wright	
		US- 3,081,874	03-19-1963	Corbin et al	
		US- 3,406,823	10-22-1968	Crain	
		US- 4,857,176	08-15-1989	Derrick et al	
		US- 4,882,054	11-21-1989	Derrick et al	
		US- 5,332,101	07-26-1994	Bakula	
		US- 5,417,859	05-23-1995	Bakula	
		US- 5,332,101	07-26-1994	Bakula	
		US- 6,000,556	12-14-1999	Bakula	
		US- 6,070,736	06-06-2000	Ballman et al	
		US- 6,290,069	09-18-2001	Schwarze et al	
		US-			
		US-			
		US-			
		US-			

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.